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VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

Re: Notice of Ex Parte Presentation: CG Docket Nos. 10-51 and 03-123

Dear Ms. Dortch,

On May 11, 2017, Sherri Turpin, Chief Executive Officer; Michael Flanagan, Chief Financial Officer; and Gregory Hlibok, Chief Legal Officer for ZVRS Holding Company (“ZVRS Holding”), parent company of CSDVRS, LLC d/b/a ZVRS (“ZVRS”) and Purple Communications, Inc. (“Purple”), along with their outside counsel Jennifer Richter and Gregory Simon, and former Commissioner Harold Furchtgott-Roth met with Commissioner O’Rielly and his Legal Advisor, Amy Bender, to discuss the Further Notice of Proposed Rulemaking in the above-referenced proceedings.¹

The parties discussed ZVRS Holdings’ acquisition of Purple earlier this year. Turpin thanked the Commissioner and his staff for their support in achieving the acquisition and completing the related Consent Decree to clear up, principally, legacy compliance issues related to Purple. Turpin explained that ZVRS’s investors acquired Purple in order to take advantage of Purple’s platform, integrate the two companies, and try to create a viable and scalable number two provider of video relay service (“VRS”) for the Deaf and Hard of Hearing community (“Community”). ZVRS and Purple are enthusiastic about the quality of VRS they will be able to provide to the Community after combining the best aspects of the two companies. Turpin and the companies are committed to putting the needs of the Community first, being responsive to those needs, building trust, and educating the Community about new and existing technologies.

The parties also discussed the joint rate proposal filed by the non-dominant VRS providers earlier this year.² ZVRS and Purple reiterated that the non-dominant providers’ four-year tiered rate plan is the most viable proposal to advance the Commission’s goals for VRS and

¹ *Structure and Practices of the VRS Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order, Notice of Inquiry, Further Notice of Proposed Rulemaking, and Order, 32 FCC Rcd. 2436 (Mar. 23, 2017) (the Further Notice of Proposed Rulemaking, individually, the “FNPRM”).

² See Letter from Paul C. Besozzi and Benjamin D. Tarbell, Squire Patton Boggs (US) LLP, Counsel to Purple Communications, Inc. to Marlene H. Dortch, Secretary, FCC, in CG Docket Nos. 10-51 & 03-123 (filed Jan. 31, 2017).



the TRS Fund (“Fund”).³ It is also the only proposal that brings rates closer in line with the costs of small, medium and large VRS providers. Turpin emphasized that it is critical for the Commission to maintain the proposed rates for four years and apply them retroactive to January 1, 2017 in order to stabilize the non-dominant VRS providers, who have been devastated by declining rates under the glide path. The Commission should not try to guess at appropriate VRS rates every six months for the next four years. Predicting costs and rates for VRS has not worked well in the past.

Furchtgott-Roth noted that the joint rate proposal is the most viable rate proposal under consideration and will reduce costs to the Fund. Turpin and Commissioner O’Rielly agreed that the Commission must protect the Fund for payers by ensuring that it is used efficiently and properly. Turpin, who became the CEO of ZVRS two years ago, understands that from her background in the telecommunications industry, which includes years of experience working for contributors to the Fund. As a result, the philosophy at ZVRS and Purple is about efficiency, not wasting dollars from the Fund.

The companies also understand that VRS is just one piece of the puzzle to achieving functional equivalence in technology for the Community. Turpin, who sits on the boards of the New York School for the Deaf and the RIT/NTID Foundation, is dedicated to improving education and career opportunities for the Community. Individuals who are Deaf or Hard of Hearing, and companies that seek to employ individuals from the Community, should not miss out on technologies used by hearing individuals that can help achieve personal and professional goals. Raising the Community’s knowledge and awareness of such technologies will allow the Community to enjoy the benefits of those technologies, reduce reliance on VRS, and protect the long-term sustainability of the Fund.

Commissioner O’Rielly inquired about the companies’ thoughts on skills-based routing. In response, Turpin noted that skills-based routing should not increase costs to the Fund because it will provide for faster, more efficient, and better quality conversations.

Finally, ZVRS and Purple expressed their support for the at-home interpreting trial. Turpin noted that at-home work is common today in every industry, that it is completely possible from a technology perspective, and that it can be done securely and with the proper amount of privacy for VRS calls. Turpin explained that having the possibility of working from home helps both the quality of the service in times of inclement weather, and it helps to ensure the safety of ZVRS and Purple’s VI workforce so that they don’t have to travel at night or in bad weather to get to work.

³ See *FNPRM* at para. 86.



ZVRS and Purple appreciate the Commission's efforts in this proceeding and are excited to partner with the Commission as, as Furchtgott-Roth put it, a good citizen company that will move VRS and all technologies forward for the Community.

Respectfully submitted,

/s/

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cc: Commissioner Michael O'Rielly
Amy Bender

